

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MAGALI NEGRON,

Plaintiff,

-against-

TARGET CORPORATION,

Defendant.

Docket No.:

NOTICE OF REMOVAL

**TO THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

Defendant, TARGET CORPORATION (“Target”), for the removal of this action from the Supreme Court of the State of New York, County of Bronx, to the United States District Court for the Southern District of New York, respectfully shows this Honorable Court:

FIRST: Target is a Defendant in a civil action brought against it in the Supreme Court of the State of New York, County of Bronx; entitled:

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF BRONX

MAGALI NEGRON,

Plaintiff,

-against-

TARGET CORPORATION,

Defendant.

Index No.: 29028/2020E

SECOND: A copy of the Summons and Verified Complaint in this action is annexed hereto at Exhibit A. A copy of Target’s Verified Answer is annexed hereto at Exhibit B. These exhibits constitute all pleadings and orders served upon any party in this action.

THIRD: Plaintiff served Target with a Verified Bill of Particulars. A copy of Plaintiff's Verified Bill of Particulars is annexed hereto as Exhibit C. Plaintiff's Verified Bill of Particulars is dated October 16, 2020, and less than thirty (30) days have passed since receipt.

FOURTH: In her Verified Bill of Particulars, Plaintiff alleges that due to Target's negligence, she has suffered various personal injuries including, but not limited to: (a) tear of the posterior horn of the medial meniscus of the left knee, requiring arthroscopic surgery; (b) medial meniscus inferior surface erosion and an obliquely oriented tear of the right knee; (c) disc herniations in the lumbar spine at L3/4, L4/5, and L5/S1; (d) disc bulges in the lumbar spine at L1/2 and L2/3; and (e) enlarged supraspinatus tendon of the left shoulder. **Exhibit C**, at ¶ 9. Moreover, Counsel for Target e-mailed counsel for Plaintiff to inquire as to the amount of damages alleged by Plaintiff pursuant to C.P.L.R. § 3017(c). On October 27, 2020, Plaintiff's counsel informed counsel for Target that Plaintiff is alleging \$5,000,000.00 in damages. Accordingly, it is clear that the amount of controversy in this matter exceeds \$75,000 exclusive of interests and costs.

FIFTH: This action is one over which this Court has original jurisdiction under the provisions of Title 28, United States Code, Section 1332, and is one which may be removed to this Court by Defendant, Target, pursuant to the provisions of Title 28 United States Code, Section 1441, in that, it is a civil action brought in a Supreme Court against a foreign corporation whose principal place of business is outside of the State of New York, by a citizen of the State of New York, with the amount in controversy exceeding the sum or value of \$75,000.00, exclusive of interest and costs.

WHEREFORE, the defendant, Target, prays that the above action now pending against it in the Supreme Court of the State of New York, County of Bronx, be removed from there to this Court.

Dated: New York, New York
November 12, 2020

CONNELL FOLEY LLP

By: 

MICHAEL J. CROWLEY
SIERRA N. KRESIN

Attorneys for Defendant

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